



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

PATENTS GALORE INTERNATIONAL, INC.
ATTN: BIDYUT K. NIYOGI
78 CYPRESS STREET
MILLBURN NJ 07041

COPY MAILED

JAN 07 2008

OFFICE OF PETITIONS

In re Application of
Chang Hyun Lee et al.
Application No. 09/730,177
Filed: December 5, 2000
Attorney Docket No: **SO-405**

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed May 23, 2007, to revive the above identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)". This is **not** a final agency decision.

This application became abandoned August 23, 2004 for failure to file a timely response to the Final Office Action mailed March 26, 2004. Accordingly, a Notice of Abandonment was mailed December 1, 2004.

Petitioner files the instant petition under 37 CFR 1.137(b)¹ however, the petition lacks item (1) above.

¹ Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b)(2). A petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c)).

With regard to item (1), petitioner has filed a petition to revive but has not provided the required reply. Petitioner must provide a reply to a Final Office action in the form of an amendment placing the application in *prima facie* condition for allowance, a Notice of Appeal accompanied by the requisite fee, a Request for Continued Examination (RCE) accompanied by a proper submission, or a continuing application.

This application will remain in an abandoned status until such time as the requirements set out in the Final Office Action mailed March 26, 2004 have been complied with.

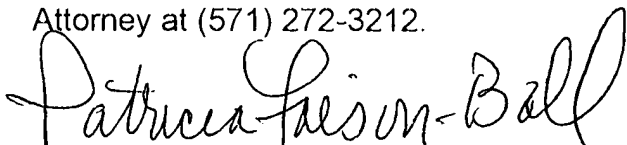
Petitioner must submit a proper reply to the Final Office action mailed on March 26, 2004, with any renewed petition. **Petitioner should note that submission of any renewed petition without the required reply will be construed as intentional delay.**

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 ATTN: Office of Petitions

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is written in a cursive, flowing style with a large initial "P".

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions